

27—40.51(207) Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs. The following is incorporated by reference: 30 CFR Part 800, as in effect on July 1, 2002, with the following exceptions:

40.51(1) Add to 30 CFR 800.40(c) a paragraph (4) that shall read as follows:

(4) The maximum liability under performance bonds applicable to a permit which may be released at any time prior to the release of all acreage from the permit area shall be calculated by multiplying the ratio between the acreage on which a reclamation phase has been completed and the total acreage in the permit area, times the total liability under performance bonds applicable to a permit, times 0.6 if reclamation phase I has been completed, or 0.25 if reclamation phase II has been completed.

Acreage may be released from the permit area only after reclamation phase III has been completed. The maximum performance bond liability applicable to a permit which may be released at any time prior to the completion of reclamation phase III on the entire permit area shall be calculated by multiplying the ratio between the acreage on which reclamation phase III has been completed and the total acreage in the permit area, times the total liability under performance bonds applicable to a permit, times 0.15.

40.51(2) Delete from 30 CFR 800.60(a) the words “authorized to do business in the United States” and insert the words “authorized to do business in the State of Iowa”.

40.51(3) Delete 30 CFR 800.10, 800.11(e), and 800.70.

40.51(4) Delete from 30 CFR 800.40(a)(1) the words “established in the regulatory program or”.

40.51(5) Delete from 30 CFR 800.40(c)(2) the words “sections 515 and 515(b)(10) of the Act” and insert the words “Iowa Code section 207.7”. Delete also from 30 CFR 800.40(c)(2) the words “performed pursuant to section 507(b)(16) of the Act” and insert the words “information included in the permit application and obtained from the official soil survey for the county in which the permit is located,”.

40.51(6) Delete from 30 CFR 800.40(h) the words “section 513(b) of the Act” and insert the words “Iowa Code section 207.5”.

40.51(7) An application for bond release shall not be considered filed until a written determination of completeness for the bond release application has been provided to the applicant by the division. The division will make a determination of completeness for the bond release application within 30 days following receipt of such application.